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U.S. PTO

Express Mail No.: EL287336607US

Date of Deposit: February 26, 2004

PATENT APPLICATION

Attorney Docket No: 21465-501 CIP DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Jonathan M. Rothberg et al.

TITLE: METHOD OF SEQUENCING A NUCLEIC ACID

MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

17497 U.S. PTO
10/788529
022604

REQUEST FOR FILING A CONTINUING UTILITY APPLICATION
UNDER 37 C.F.R. §1.53(b)

1. This is a request for filing a continuing application under 37 C.F.R. §1.53(b). This application is a divisional of United States Patent Application Serial No. 09/664,197, filed September 18, 2000; which is a continuation-in-part of United States Patent Application Serial No. 09/398,833, filed September 16, 1999, now United States Patent No. 6,274,320.
2. This application is a
☒ Divisional Application
3. Priority to the above applications is claimed under:
☒ 35 U.S.C. §120
Prior Application Information:
United States Patent Application Serial No. 09/664,197, filed September 18, 2000 and
United States Patent Application Serial No. 09/398,833, filed September 16, 1999,
now United States Patent No. 6,274,320
Examiner: Young J. Kim; Group Art Unit: 1637

APPLICATION ELEMENTS:

4. ☒ Specification (Total pages: 63);
Specification (54 pages); Claims (8 pages); Abstract (1 page); sequence listing (3 pages)
and Drawings (informal) (Figs. 1-5) (8 sheets)
5. ☒ Declaration (total pages: 10)
☒ Copy from a prior application (37 C.F.R. §1.63(d))
6. ☒ Incorporation by reference

The entire disclosures of U.S. Application Serial Nos. 09/664,197, filed September 18, 2000; and 09/398,833, filed September 16, 1999, now United States Patent No. 6,274,320 are hereby incorporated by reference.

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7. ☒ Sequence listing

Pursuant to 37 C.F.R. § 1.821(e), the paper or compact disc copy of the Sequence Listing in this application, is identical to the computer readable copy of the Sequence Listing filed in application Serial No. 09/664,197, filed September 18, 2000. In accordance with 37 CFR 1.821(e), please use the last filed computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the instant application. A paper or compact disc copy of the Sequence Listing is included in the originally-filed specification of the instant application.

ACCOMPANYING APPLICATION PARTS:

8. Fee Calculation:

- ☒ A Preliminary Amendment is enclosed herewith. Please enter the claim amendments prior to calculating the filing fee.

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 C.F.R. §1.16(a) \$770.00
Total Claims (37 C.F.R. §1.16(c))	30	- 20 =	10	\$18.00	180.00
Independent Claims (37 C.F.R. §1.16(b))	1	- 3 =	0	\$86.00	0.00
Multiple Dependent Claims, if any (37 C.F.R. §1.16(d))	0			\$290.00	0.00
SUBTOTAL:					\$950.00
Reduction by 50% for filing by small entity:					- \$475.00
TOTAL FEE:					\$475.00

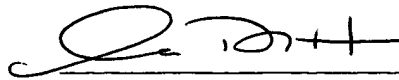
- 9 ☒ A check in the amount of **\$475.00** is enclosed.
- 10 ☒ The Commissioner is hereby authorized to credit overpayments or charge any additional fees to Deposit Account No. **50-0311**, Ref. No. **21465-501 CIP DIV**, Customer No. **35437**.

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11. ☒ Return Receipt Postcard Enclosed.

Respectfully submitted,

Date: February 26, 2004



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